

1 **SOUTH MESQUITE DESIGN REVIEW BOARD**

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3 Following are the minutes of the South Mesquite Design Review Board meeting held on  
4 September 7, 2016 at 6:00 p.m. in Room 2007-A at City Hall, 700 N. Main Street, Las  
5 Cruces, NM.

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7 **MEMBERS PRESENT:** Robert Williams  
8 Paul Mach  
9 Ernie Campos  
10 Tony Dahlin  
11 Faith Hutson

12  
13 **MEMBERS ABSENT:** David Chavez  
14 Barbara Kuhns

15  
16 **STAFF PRESENT:** Adam Ochoa, CLC Planner  
17 Becky Baum, RC Creations, LLC, Recording Sec.

18  
19 **OTHERS:** Frank Belyan  
20 Robert Cruise  
21 Martha Rodriguez

22  
23 **I. CALL TO ORDER (6:01 p.m.)**

24  
25 Williams: Call the meeting to order at 6:01.

26  
27 **II. APPROVAL OF MINUTES - July 6, 2016**

28  
29 Williams: And first item of business is the Approval of the Minutes from the July 6th,  
30 2016 meeting. Any comments, suggestions, changes?

31  
32 Dahlin: Mr. Chairman.

33  
34 Williams: Yes.

35  
36 Dahlin: I, I suggest we vote on acceptance.

37  
38 Williams: Okay.

39  
40 Dahlin: Is that the proper way of ...

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42 Ochoa: A move, a motion ...

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44 Williams: A motion, we've got a motion to approve. A second?

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46 Mach: I'll second it.

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Williams: Motion and a second. Any other discussion?  
Campos: No sir.  
Williams: Okay. All those in favor.

MOTION PASSES UNANIMOUSLY.

Williams: Motion passes unanimously.

**III. NEW BUSINESS**

- 1. **Case 69213:** Request for approval of the renovation of an existing vacant dwelling including the replacement of a window and the relocation of the front door on the street-facing facade of the structure on a property located on the southeast corner of San Pedro Street and Augustine Avenue; a.k.a. 738 N. San Pedro Street; Parcel ID# 02-06123. The subject property is zoned R-3 (High Density Residential District) and is located within the Original Townsite of the South Mesquite Overlay District. Submitted by Robert Cruise & Martha Rodriguez.

Williams: Next item for business is the Case 69213.

Ochoa: Good evening ladies and gentlemen. Our first and only case tonight, maybe a familiar one; it's Case 69213. It's for a proposed I guess modification to a renovation to the property at 738 North San Pedro Street. This was actually the one we reviewed on our, at our last meeting. The applicant has come back with a couple of changes to that. After starting some demolition on the, on the building he noticed a couple things so he is coming before you for these, these couple of minor changes, maybe not minor, but changes if you will.

Subject property's located in the South Mesquite, as you can see here highlighted in the little hatch, hatch marks there, R-3 zoned property in the Original Townsite of the, the City of Las Cruces. It is located on the southeast corner of San Pedro Street and Augustine Avenue, zoned R-3 and currently consists of a vacant single-family dwelling. Subject, the dwelling itself is classified as a contributing structure under the State Historic Registry and was constructed circa 1925. Here's an aerial of that L-shaped home we're talking about. As I stated it's south of Augustine, east of San Pedro Street. Here are some site photos of the home. The top left and middle picture are taken on, along San Pedro Street. That's the front facade there. The top right-hand corner is also that, that side. The bottom left corner, that's the building facing San, San Augustine and as well as the bottom right picture as well.

1 Previously the applicant, let me see if I can find, here we go, the  
2 first, the first issue we're going to be discussing today is the first, the top  
3 left picture if you will, where you can see where a doorway is currently  
4 located north, at the northern part of the, of the home. And that small little  
5 aluminum window that, it looks like it's, it was just kind of shoved in a hole  
6 if you will where previously South Mesquite allowed the placement of a  
7 nicho in that, on that, in that area. The applicant is seeking to change the  
8 aspect of the front door along there. He is proposing to actually move the  
9 location of the front entry door. The doorway currently located on the  
10 northwest corner, the applicant has found evidence that that was not the  
11 actual original door opening to the dwelling. This was discovered when  
12 demolition took place on the interior and they found that adobe bricks  
13 were actually cut with a saw for the door and the header. They were both  
14 just placed in there for the new door essentially. The applicant then stated  
15 that the original doorway's actually located in the center of the, of that wall  
16 that's facing San Pedro Street where a small aluminum window currently  
17 exists. They discovered a header that is actually laid in and mudded,  
18 mudded directly on top of the adobe bricks, not cut into it and the header  
19 is constructed from a hand-hewn wood, you know kind of similar to the  
20 styles of when this home was originally built at the time that this home was  
21 originally built. Because of that the applicant believes that this is actually  
22 the original door opening for the dwelling and would like to relocate the  
23 doorway to the central wall portion of the dwelling. Additionally the  
24 applicant will still be replacing the door with a new wooden door as  
25 previously approved, as well as they, he will be placing that previously,  
26 previously approved 32-square-foot attached porch awning over that front  
27 door, doorway, essentially moving everything from the northern part of the,  
28 the, the wall to the center part of it if you will. Here are some quick  
29 pictures, the top left picture that is the original door opening. The two  
30 center ones are where that window, aluminum window was that, they  
31 demolished and they found the header, original header. The bottom left  
32 picture, that's actually the header as you can see that's laid into the mud,  
33 into the original adobe. And the, the right-hand, on the right-hand side  
34 that is the picture of what the door and the awning will look like after it's all  
35 said and done.

36 Additionally the applicant is seeking to replace a horizontal window  
37 that is facing Augustine which we all discussed in pretty decent lengths at  
38 the last meeting. After doing some of the demolition the applicant did  
39 discover that a narrow header beam was actually located over this  
40 window, approximately 30 inches in width. With this discovery the  
41 applicant believes that this window was actually originally a 30-inch  
42 window similar, similar in size to the other windows of the dwelling. So the  
43 applicant is proposing to replace this horizontal and longer window with a  
44 new 30-inch by 30-inch vinyl-clad double-paneled thermal window with a  
45 territorial-style trim similar to the windows that we previously approved for  
46 the entire structure previously. The new window will be shorter because

1 that is to accommodate the actual kitchen, the, the sink area, the cabinets  
2 because he will be relocating the kitchen to this side since the main entry  
3 will be relocated as well hopefully to a different location of the home. The  
4 new window will, will still match the style and look of other windows seen  
5 throughout the South Mesquite Overlay. Again top picture shows that  
6 horizontal window that was previously discussed that he was just going to  
7 replace, keep it the same width and just replace it with a window, you  
8 know with the broken pane, kind of territorial style. But the bottom left has  
9 a picture, you can see that there's a little header there that kind of shows  
10 kind of evidence that the window actually used to be smaller and the, the  
11 two right-hand pictures are what the new window will look like, similar to  
12 those pictures if you will.

13 Here the, the top picture is actually what was previously approved.  
14 As you can see the door was closer to the corner of San Augustin and,  
15 and San Pedro, or Augustine and San Pedro with the nicho in the center  
16 of the wall there and then the long window as you can see on Augustine.  
17 The bottom right picture's what the house would look like now with the  
18 relocated door at the center, no more nicho there, and then he'll be  
19 covering up where the, where the existing door is now, he'll just be  
20 covering that area up with new adobe I believe. Then he'll be replacing  
21 that, that horizontal window with a smaller 30-inch by 30-inch window right  
22 there on the corner of Augustine. Just, just a reference real quick here,  
23 couple of surrounding properties around the, the existing, the subject  
24 property, all existing single-family homes essentially.

25 When analyzing this we do look at (*inaudible*) development is  
26 required to, to utilize architectural styles and methods that are visually  
27 compatible with the original structure and the surrounding structure and  
28 the overall character of the Historical District. Staff believes that new  
29 evidence does show that we are now trying to, the applicant is now  
30 actually trying to bring this structure even closer to the original, its original  
31 look which is something that, that's, that the Code definitely supports. The  
32 structure is listed as a contributing structure by the State Historic Registry  
33 and this would only I guess increase its value if you will to the Historic  
34 Registry. Staff did receive no public input about the proposal.

35 With that staff does recommend approval based on the findings  
36 within your staff report. The South Mesquite Design Review Board does  
37 have final authority on these proposals. Here are those findings that are  
38 actually found within your staff report if you need to look at them again.  
39 And your options tonight ladies and gentlemen are: 1) to vote "yes" so to  
40 approve the renovation project that's proposed by the applicant; 2) to vote  
41 "no," this will deny the renovation project; 3) to vote "yes" with conditions  
42 which essentially would be to add conditions deemed necessary by the  
43 South Mesquite Design Review Board; or 4) table and postpone and direct  
44 staff and the applicant accordingly to provide additional information, as  
45 well alternate solutions at a later meeting. That's the conclusion of my

1 presentation. I hope I covered everything. But the applicant is here if you  
2 have any questions for him as well and I stand for questions.  
3  
4 Williams: Any questions?  
5  
6 Dahlin: Boy the silence.  
7  
8 Ochoa: It should be pretty straightforward, I hope.  
9  
10 Campos: Mr. Chair. I don't, I don't have any issues with the proposed renovations  
11 or proposed redrawing. What they've discovered was really unique, and  
12 informed with that aspect I don't, I personally don't see any problems  
13 unless the other Committee Members have something to bring up.  
14  
15 Hutson: I actually commend you for you know taking the time to, to, to make it as  
16 authentic as it originally was so, you know instead of just saying, "Well you  
17 know, okay, that was the original door but it's a lot of work. We're going to  
18 leave it where it is." So thank you very much.  
19  
20 Cruise: You're most welcome. This is Robert Cruise. I'm the owner. It's, it's  
21 amazing when you start peeling back layers of you know almost a century  
22 worth of plaster what you find underneath. But yeah when we pulled that  
23 plaster back and I saw that header it's like, it was, it was like an "Ah-ha!"  
24 moment. Yeah. This, and, and researching territorial styles, all the doors  
25 are in the center of the houses so I always thought it was kind of odd that  
26 it was on the northern end, but to find that dead center it was like the  
27 golden moment.  
28  
29 Campos: Excellent.  
30  
31 Cruise: So we rearranged what was going to be the kitchen and moved it to the  
32 other side and that'll be the entry into the living room area.  
33  
34 Williams: Anyone want to make a motion to approve the change, the application as  
35 we've ...  
36  
37 Mach: I move that we accept option one and vote yes to approve the renovation.  
38  
39 Dahlin: I second that motion.  
40  
41 Williams: Motion is, motion made and seconded. All those in favor?  
42  
43 MOTION PASSES UNANIMOUSLY.  
44  
45 Williams: Motion passes.  
46

1 Cruise: Thank you.

2

3 BANTER FOR A FEW MOMENTS.

4

5 **IV. DISCUSSION OF OTHER ITEMS**

6

7 Williams: Moving on to other discussions, Paul I think you had something you  
8 wanted to discuss.

9

10 Mach: I do. I sent everybody an e-mail about this topic. What you see on the  
11 screen there I brought up to Adam a while back and didn't pursue it but I  
12 was looking at this again, and it has to do with the signs and permitted  
13 signs under the new Code. And if you look at Item B there it says ground  
14 signs shall be no greater than two square feet in overall size. And except  
15 for Lohman and Amador which are the only places that can have pole  
16 signs these are the only kind of signs that we can have in the, in the  
17 District except for ones that are actually attached to buildings. So two  
18 square feet seems like a really small allotment of size for a sign  
19 advertising your business and so, especially when we look at Item D  
20 where when properties are developed as a business center and they have  
21 businesses, one ground sign can identify the names of the individual  
22 businesses so it seems very odd that a two-square-foot sign would be  
23 able to hold all of that information. So I question this, that, that perhaps  
24 Item B, two square feet is maybe a miss, mistyped item or I would like to  
25 know if anybody remembers what was going on during the discussions of  
26 that.

27

28 Williams: The, I just now when you were saying that ground signs, can we have a  
29 definition of ground sign, what a ground sign is?

30

31 Ochoa: Yes. A ground sign is essentially, ground sign is, is a, a sign that's not  
32 elevated on poles. It's essentially the entire structure in its, the, the entire  
33 sign is on top of a base if you will on the ground. That's essentially what a  
34 ground sign is. Typically not elevated if you will like a pole sign is what a  
35 ground sign is. What Paul brought up is something that has been brought  
36 up by a couple of property owners, commercial property owners in the  
37 South Mesquite in the past as well, where essentially they're saying,  
38 "Okay so you're telling me I can have a five-foot-tall ground sign and only  
39 two square feet of that could be for my sign itself," which out of any other  
40 area in the city which there are other areas in the city where they're just  
41 limited the, the size of signage including the UD. The UD's pretty small  
42 too. This is the absolute smallest sign anywhere in the city.

43

44 Williams: I, I guess my concern about when you say "ground sign" I mean look at  
45 where my apartment is there on, on Mesquite and Las Cruces. There's  
46 nowhere there to put a ground sign. I mean if you could do it, I mean you

1 could, you might be able to put a sandwich board or something out but,  
2 but the sidewalk, it's right up against the sidewalk. So I'm concerned if  
3 you get too, if you increase the sign there's some spots somewhere  
4 there's commercial buildings where there's no room for sign, ground signs  
5 ...  
6  
7 Ochoa: Sure.  
8  
9 Williams: Period. The, there, so I don't, I, I, two feet is kind of small but that's kind of  
10 what I, I would worry about if you get too big whether or not, people are  
11 going to (*inaudible*) on it.  
12  
13 Ochoa: Right.  
14  
15 Williams: Access ways and stuff so.  
16  
17 Ochoa: And if I may add to that there are other requirements as well, you know  
18 five foot tall, two square feet is what it says but there are also setback  
19 requirements so if the property does not meet the, you know those  
20 requirements then they essentially cannot have a ground sign unless they  
21 go for a variance if you will.  
22  
23 Dahlin: Mr. Chairman.  
24  
25 Hutson: Mr. Chairman.  
26  
27 Williams: One ...  
28  
29 Ochoa: And, I'm sorry.  
30  
31 Dahlin: I'm sorry, sorry, go ahead.  
32  
33 Ochoa: Then additionally what you're looking at as well as if, if you read the  
34 language in the South Mesquite it limits it to commercial properties. So  
35 basically what you're, all you're dealing with is when there's actual  
36 commercial business on that property where you'll be able to have that so  
37 the Code is a little grey when it comes to like multifamily like you're talking  
38 about.  
39  
40 Williams: Well mine is also zoned for commercial though too so it's like, it's my, or  
41 my apartment can do a business there as well so ...  
42  
43 Ochoa: Correct. But the, but the, again it falls back on for a commercial property,  
44 you know multifamily property's not a commercial property so that's  
45 something that may be something we might want to clean up as well in  
46 there. I could see where Susana was going when she kind of wrote this

1 section, restricting but also kind of allowing a little bit more, but it, it is a  
2 little confusing ...  
3  
4 Williams: Right.  
5  
6 Ochoa: And a, a, really restrictive concern.  
7  
8 Hutson: Mr. Chairman. I wanted to say though the setback is five feet so you know  
9 if, if we decided that we should change it a little bit bigger there's, there's  
10 still that, that you have to be at least five feet back so.  
11  
12 Dahlin: Mr. Chairman, oh.  
13  
14 Campos: Three things, number one for the sign, for the side, for the size of the sign,  
15 two by two ground set, in my mind I'm looking at also commercial but does  
16 that also apply to real estate signs, yard sale signs, or what's the other  
17 sign I'm looking for, also for business ...  
18  
19 Williams: Temporary.  
20  
21 Campos: Second, yeah. Second if you're sidewalk to sidewalk and got a rock wall  
22 or block wall, can you set the sign on the wall? Is that at, is that, is that, is  
23 that allowed? And third the, the size of the sign I'm, I'm getting a feel  
24 because of the commercial aspect and we're in a historical district, I think  
25 they're trying to keep it low-key.  
26  
27 Ochoa: Sure.  
28  
29 Campos: And is there anywhere in the Code, Mr. Ochoa where we can implement  
30 or amend another type of zoning into the overlay zone to allow certain  
31 type of signs to the certain type of business and not go over and beyond  
32 what's allowed at the moment?  
33  
34 Ochoa: Okay.  
35  
36 Campos: To keep it balanced what I'm trying to say.  
37  
38 Ochoa: Understand.  
39  
40 Campos: In the same spirit.  
41  
42 Ochoa: Okay. To answer your first question real estate signs, garage sale signs  
43 ...  
44  
45 Campos: Political signs.  
46

1 Ochoa: And political signs ...  
2  
3 Campos: Yeah.  
4  
5 Ochoa: Those are considered temporary signs.  
6  
7 Campos: Okay.  
8  
9 Ochoa: So temporary signs actually fall back into the, the, the, the Sign Code of,  
10 of the, of the City of Las Cruces. I believe that's what it just is, go to  
11 Chapter 30, no Chapter 18 or whatever it is, what, whatever the Sign  
12 Code is. So that's for that one.  
13 Your second question about placing signs on the walls, I'm not  
14 100% how it reads there. I know in the actual City of Las, the actual Sign  
15 Code, signs on walls and fences and rocks are not allowed essentially.  
16 Because essentially if the wall is here on your property line you're push,  
17 putting, putting a sign on there even if it's only like a five, six-inch-wide  
18 sign that's already overhanging into right-of-way and no signs are allowed  
19 in right-of-way at all just to keep liability of the City out of, keeping it out of  
20 the liability of the City if it falls over or something, it falls into the, to the  
21 property. Which is another reason why you got the five-foot setback  
22 cause if you got a five-foot maximum height if it falls over it's within five-  
23 foot setback so it'll fall within the property. The second thing about actual  
24 lasting, pardon me, the actual limiting the types of signs allowed per  
25 business, that gets really tricky unfortunately considering what if you had  
26 multiple businesses on there? What if it's one business yes, but he's  
27 doing multiple aspects of, of a certain business on that property? That  
28 gets a little tough. So what we could do is stick to the zoning side of  
29 things if you will, so whatever the property is zoned wherever it is, and  
30 then, so if your property is zoned this and you have, you're allowed to do  
31 this size of a sign and so forth like that on your property if it's for a  
32 commercial purpose. Big thing is with all signage we try to limit signage  
33 on residential properties at all time cause that is just, if everybody has a  
34 sign what will you see?  
35  
36 Dahlin: Mr. Chairman. Is, is this something that we have the authority to adjust or  
37 rewrite? Because when I drive down the street, I see every kind of sign in  
38 town. I don't know, until this moment I didn't know if that was legal or not,  
39 or approved. But should we develop a consensus about signs in this  
40 room?  
41  
42 Ochoa: Yeah, we could definitely do that and direct staff accordingly. One thing  
43 that has been discussed, staff, me, is looking through a number of boxes  
44 of past meetings that Susana left, she kept everything essentially, seeing  
45 if we could find any old, older versions of the update if you will, of the  
46 amendment to see if there was anything in there. Becky graciously said

1 she might just try to look through the minutes as well and send us some  
2 sections where we're probably just, there were, the discussions of ground  
3 signs occurred just seeing if there was either a mistake like a mistype or it  
4 was purposely done, because if it's a, if it was a mistake if you will it could  
5 be a quick fix, quicker fix cause it'd just be kind of an interpretation. If y'all  
6 are okay with us changing it to what it was originally supposed to be, if we  
7 all get a consensus of that, we'll do an interpretation and that'll be the new  
8 requirement for signs. If not we'll come back and then if we're, if there's a  
9 consensus to possibly change that in Code unfortunately we have to go  
10 through a full amendment and go through that again.

11  
12 Dahlin: Could we, could we come, establish a committee of one or two just to go  
13 photograph some of the signs around there, try and find some of them. I, I  
14 guess the signs are new to the District. Because back 50 years ago I'm  
15 not sure they had a lot of signs up. But I mean what, what we should do  
16 I'm thinking is go down and photograph some different signs around here  
17 and see what we like or don't like. Cause two by two I agree 100% with  
18 (*inaudible*) is ridiculous.

19  
20 Williams: I think, I, I don't, I think that's more than what we need to do. I think if we,  
21 we need to verify that, whether other size is the size that, that was  
22 intended or if it was. Cause two by two, or it's not two by two. It's two  
23 square feet. That's one by two.

24  
25 Ochoa: It's two by one. Correct.

26  
27 Williams: Yeah. So it's like, so it's less there, about that, little bigger than that. But  
28 the, the, I don't, I don't, you know we're not specifying a style. All we're  
29 saying is a size. We don't care that the style is, is not, is not our, we're  
30 not, we don't limit styles or things like that or what's on the sign  
31 necessarily and stuff like that. So I think if we look at the size and just  
32 verify the size you know and then, and then if it is just a typo and easy to  
33 fix then we just do that.

34  
35 Ochoa: Right

36  
37 Williams: But I don't, I, I think trying to go and photograph and come up with a  
38 standard or something is, is way more than what we need to do. So, and  
39 older signs, anything that was done before this anyway is going to be  
40 exempt, grandfathered in anyway. So it's like, so it won't be able to, we  
41 can't go out and enforce force signs that are already existing to change  
42 but, so.

43  
44 Ochoa: Correct.

45  
46 Dahlin: So if it's two by two, is it two by two cubed?

1 Ochoa: No, it's two by one.  
2  
3 Williams: Two square feet.  
4  
5 Ochoa: Two square feet.  
6  
7 Dahlin: That's what I think it'd be.  
8  
9 Ochoa: So it's two by one.  
10  
11 Williams: One by one, one by two.  
12  
13 Dahlin: Okay. That's nothing.  
14  
15 Williams: Oh, I know.  
16  
17 Dahlin: That's, probably omits some of our historical signs that are hanging out  
18 there.  
19  
20 Ochoa: Yeah. There you go.  
21  
22 Williams: Good, yeah. So.  
23  
24 Campos: Mr. Chair. Thank you. Question to staff. In ordinance, let's say if I'm a  
25 business owner and I want to convert, I bought a piece of property off of  
26 Mesquite Street in the Mesilla, I mean the South Mesquite Overlay zone  
27 and I'm gonna open up a bakery or a little restaurant, little cafe. Is there  
28 any flexibility in staff for the size of the sign I want to put up relating to the  
29 commercial aspect? Can I go to your, for a variance to the size of the  
30 sign?  
31  
32 Ochoa: That's, that's something else you could always do as well which we've  
33 discussed, is you could leave it as is and then just if somebody comes  
34 and, and can actually justify or prove that they want, why they want, or  
35 why they need a bigger sign they can always go through the, through the  
36 variance process. It is lengthier, it does cost money. There's an  
37 application fee, public notice fees, you name it, public advertising fees that  
38 need to happen for, for the variance. So it would come before you all for  
39 your recommendation and then final action at P&Z for their, for final action  
40 at P&Z so.  
41  
42 Campos: As long as it's not an overkill sign and blends in, the same spirit of the  
43 area. I'll give you an example, a couple of weeks back I got, I also had to  
44 issue sign permits for the County. Ace Hardware, they were bought out by  
45 some other company so they were gonna upgrade their signs off of Taylor  
46 Road, the hardware store. They came in with a different sign, a lot bigger

1 than what it was previously on there so what, long story short they went  
2 over the limits of, of our sign department. They issued a letter to our  
3 Planning Director and we had admin, administrative variance done.  
4  
5 Ochoa: Okay.  
6  
7 Campos: Does that still happen here in the City of Las Cruces? Can we do that?  
8  
9 Ochoa: Unfortunately in the Sign Code signs cannot be administratively approved  
10 for variances.  
11  
12 Campos: Okay.  
13  
14 Ochoa: They have to go through the public process.  
15  
16 Campos: Yeah.  
17  
18 Ochoa: I'll double-check the ordinance, our ordinance. There are some things in  
19 there that, that you all granted yourselves like a, a ability to approve  
20 yourselves if you will. I'm not 100% sure if that's one of the aspects that,  
21 that, that can happen. If it is then great. That's one less step that people  
22 have to go to. They just come before you all for the approval of their sign.  
23  
24 Mach: Yeah. I do believe that in the new Code our Board has authority to issue  
25 variance for sign sizes.  
26  
27 Ochoa: Oh, nice.  
28  
29 Mach: I think it's in there so I mean ...  
30  
31 Campos: Okay.  
32  
33 Dahlin: Cool.  
34  
35 Mach: We do have that authority for that. And the other thing that I was kind of  
36 hoping to find out here because Faith I believe you were here in the early  
37 days and I didn't realize that you were probably, you were too, do you  
38 remember what was going on during the discussions of this, whether it  
39 was intended to be two square feet or ...  
40  
41 Williams: I don't, I don't, I don't, I don't, I don't remember, I remember us discussing  
42 signs. I don't remember us discussing the size on the sign and two square  
43 feet seems small to me. It's like if it was I would've, although 12 square  
44 feet seems a little big, you know.  
45  
46 Mach: Three by four.

1 Dahlin: *(Inaudible)*.  
2  
3 Williams: Yeah, I guess that's three by four and it's ...  
4  
5 Hutson: Then I cannot recall either Paul what, what we discussed. I was hoping  
6 that I had an old copy of it in this book but I don't and I, I cannot recall off  
7 the top of my head either.  
8  
9 Williams: I, I would, you know I mean it, to me, well I mean I would check if, if we  
10 intended it to be 12. Yeah I, I think it, the, my thing though if we have to, if  
11 we're, well administratively, well if they come up to us it has to be  
12 advertised and everything and so it's like yeah.  
13  
14 Campos: So now we ...  
15  
16 Williams: So I would, yeah I would, I would, you know say we'd probably want a  
17 change even though we have the authority to approve it if they come to it  
18 because I hate to put someone, have to come through it necessarily if they  
19 don't really need to, and it's like, and it's just more work for us if we, you  
20 know, if it.  
21  
22 Campos: Yeah. I, I agree with Mr. Chair. As Mr. Dahlin has stated maybe we  
23 should take pictures and compare what's out there right now which, and  
24 the County also had legal non-conforming. We also have village district  
25 areas where in case somebody wants to open up a business, a, a Mom  
26 and Pop type they're allowed. We do have strict restrictions for the village  
27 districts like Brazito, La Union, Dona Ana for the, for the signs as well. We  
28 don't want anything too loud and too boisterous that's going to have a  
29 negative effect.  
30  
31 Williams: Yeah, I ...  
32  
33 Campos: Thank you sir. Thank you.  
34  
35 Mach: Yes. On the corner of Campo and Amador is a, Saenz Law, law offices  
36 and they've got a ground sign you know part rock and it says their name  
37 and, and I'm not, I never measured the sign but it seems like that's  
38 probably about a three by three, three by four foot sign. And so it would  
39 seem to me that that would kind of be it, and I'm not also saying that it was  
40 intended to be 12, maybe it was meant to be eight or whatever it is. It just,  
41 I know I went through these, through this whole Code stuff because I  
42 came late in the process and I went through everything, everything and it  
43 was really remiss on my part not to have missed something like that. So  
44 I'm hoping it was a, just a typographical error and not something we  
45 intended. But if it was what we intended to do then it's part of the Code

1 and it took years to pass this thing and to try and, to try and issue new  
2 code and then go, have to through all the process ...  
3  
4 Williams: Again.  
5  
6 Mach: Another four years just to get this done.  
7  
8 Williams: Yeah. If the, that's what I was just going to ask you, is what is, if we  
9 decide we want to make it 12 and assume it was a, a typographic error,  
10 what's the process for us making that change?  
11  
12 Ochoa: Well again, if it was a mistake, finding the evidence that it was a mistake,  
13 it'd be a quick interpretation done by us administratively and it'd just be  
14 part of the Code. If it is an actual amendment that we're looking at  
15 wanting to do, which we do have a meeting next month, scheduled for  
16 next month as a FYI, we could discuss this again. I'll, I'll do some digging  
17 this month and see what I can find. If there is no evidence that, that that  
18 happened, oh, Faith has found something.  
19  
20 Hutson: Yeah. I'm looking at one, Section 38, 49.2 dated 1/22/07 and it says  
21 "ground signs shall be no greater than two square feet in overall size." So  
22 that's from '07.  
23  
24 Dahlin: Is there a *(inaudible)*?  
25  
26 Williams: So that was before me.  
27  
28 Hutson: So I'm, I'm guessing that we just left it alone when we did a revision  
29 because this is what this says with this date.  
30  
31 Williams: So if that was the case and we want to allow 12, it, it, are we talking about,  
32 well are we talking about having to go through the full process again?  
33  
34 Ochoa: It'd, it'd be a full amendment. That is correct. We'd have to basically just  
35 change that language, add a one in front of the two, bring it before you all.  
36 If you guys are okay with that vote on it, recommend approval for it, goes  
37 to P&Z, they'll vote on it, make a recommendation to City Council, and City  
38 Council will finalize it essentially.  
39  
40 Dahlin: Mr. Chairman. Can we just state that is a typo?  
41  
42 Ochoa: There's no evidence that it is a typo, unfortunately.  
43  
44 Williams: Yeah. Well there ...  
45  
46 Ochoa: If, if I can find evidence that it is a typo then ...

1 Williams: Well I, I, I mean Faith just, if we've got, if we've got a document that was  
2 dated in 2007 that actually states that, it's not a typo. It's, and so there is  
3 evidence out there that it is, it was part of the, the Overlay for the ...  
4

5 Ochoa: The intent if you will.  
6

7 Williams: Yeah.  
8

9 Hutson: When it talks about A-frame signs thought it does say that they shall be no  
10 more than 12 square feet total. So it gives you A-frames that, but not  
11 ground sign. So it could've been a typo that far back but again we'd have  
12 to see if there was something in the earlier drafts that had said 12 and that  
13 was somehow not typed into this one.  
14

15 Williams: Paul.  
16

17 Mach: Yeah. Based on what you're finding there, the only thing I can conclude is  
18 that we did intend it to be two square feet. And that was my basic  
19 question, was it seemed to me it was a typographical error and this is  
20 evidence that it wasn't. So I don't see how we can just make something  
21 up and say, "Oh, it was a typographical error."  
22

23 Williams: Yeah.  
24

25 Dahlin: *(Inaudible)*.  
26

27 Mach: When going back these many years it would indicate that that was  
28 intentionally done and I think trying to make these changes, I know it took  
29 very many years to go through that whole process and I would hate to see  
30 us have to do that again so.  
31

32 Williams: Yeah. That was going to be my suggestion too was if we've got, if we've  
33 got administrative over there we can approve variances on this, on the  
34 sign sizes and stuff. I think we've got some *(inaudible)* aspect to deal with  
35 it now. I, I would not recommend us going through that whole process for  
36 this little change. I would recommend we wait, see if there's other  
37 changes that need to be made and then do it as part of the process or  
38 something rather than trying to go through the whole, like you said going  
39 through this whole thing again you know for one little, adding a one in front  
40 of a two cause, Paul.  
41

42 Mach: Yes. And I'm the one that brought up this whole question and I'm the  
43 cause of the discussion and I would agree with you.  
44

45 Dahlin: So why are we having this discussion?  
46

1 Williams: Well that was why we asked.  
2  
3 Ochoa: That's the discussion, correct.  
4  
5 Williams: Yeah.  
6  
7 Ochoa: So if, if you all are comfortable with just keeping it as is and if people come  
8 forward that they want larger signs, it'll just be a variance coming before  
9 you all. I'll double-check the Code but I, I think Paul is correct that, where  
10 you guys have the authority to approve the size of signs in the South  
11 Mesquite. If that is the case then if somebody wants to come in and get a,  
12 and a, try to get a larger sign they'll just come before y'all for, for approval  
13 of that and then it'll end here hopefully, I believe that's how the Code  
14 reads. If, if it's not, I'll, I'll bring it up again next time but I'm pretty sure  
15 that's how the Code reads as well and we'll just leave it at that.  
16  
17 Williams: Sounds good.  
18  
19 Ochoa: Cool.  
20  
21 Williams: Any other discussion?  
22  
23 Campos: No sir, not I.  
24  
25 **V. STAFF ANNOUNCEMENTS**  
26  
27 Williams: Any announcements? Paul.  
28  
29 Mach: Just one other thing. David Chavez has not been here for several  
30 meetings and I happened to run into him one day and asked him if he was  
31 going to continue on the Board because I know that he has a new job and  
32 he works in El Paso and it's, he's told me it's difficult for him to get to the  
33 meetings so I asked him if he was planning on continuing and he sort of  
34 gave me the intent, the indication that he was. But if somebody is missing  
35 many meetings it makes this more difficult for this Board to reach a  
36 quorum and makes it, puts more pressure on the people that are here on  
37 a regular basis to have to make sure they show up.  
38  
39 Dahlin: Mr. Chairman. I'm going to further that discussion. I drive and fly in 800  
40 miles to be at this meeting because I'm committed. El Paso's an hour  
41 away. Just food for thought.  
42  
43 Hutson: I actually had a conversation with David on Monday at a party and it's not  
44 that it's an hour away. It's that his scheduled hours do not end before six  
45 p.m. So it's not the distance, it's his work hours. I ...  
46

1 Dahlin: So he can't come anyway.  
2  
3 Hutson: So I said to him that I would discuss with the Board the possibility of  
4 changing the time of the meetings, if that would be something that was  
5 acceptable. We originally met at seven p.m. and we changed it to six for  
6 the convenience of a Board Member.  
7  
8 Dahlin: Who was that Board Member?  
9  
10 Hutson: Honestly ...  
11  
12 Williams: *(Inaudible)*.  
13  
14 Hutson: Tony, I don't remember and it doesn't matter. I just ...  
15  
16 Dahlin: But we changed from Thursday to a Wednesdays.  
17  
18 Hutson: Yes, and we also changed the time from seven to six, so it's something  
19 that we could discuss and the reason why I'm saying this is it took us  
20 forever to get a full Board, took us forever.  
21  
22 Williams: We still don't have a full Board.  
23  
24 Hutson: And, right. And so it's something that maybe we could consider if that  
25 could be accommodating. Now if he cannot make 7:00 then it's a moot  
26 point but at least it's something that maybe we can consider and I could  
27 ask him if it was changed, if the Board was willing and it was changed if he  
28 could make that.  
29  
30 Williams: Paul.  
31  
32 Mach: I think that sounds like a great idea, okay. I think David adds a, very much  
33 to this Board and I would hope that he would be wanting to stay on it.  
34  
35 Ochoa: If I may add ...  
36  
37 Dahlin: I'd also say this, that I'm flexible, any day or any time so according to Faith  
38 if seven'll do it and, will it do it?  
39  
40 Hutson: I don't know. I can ask him.  
41  
42 Dahlin: Okay.  
43  
44 Hutson: I can ask him and see.  
45

1 Ochoa: If I may add, we might run into some issues when it comes to having  
2 meetings that late, at 7:00 just simply because of where we're at now at  
3 City Hall here. At, at a, typically at a, we're all we're supposed to be out of  
4 here at a specific time. Meeting, public meetings are allocated about three  
5 hours, till 9:00 because 9:00 is essentially cutoff time for Security as well.  
6 So for pushing that back another hour then you know technically it'll be till  
7 ten. We may get a, a nay-say also from our Building Services here as  
8 well. So just keep that in mind. There's, there, there's, there're, there're  
9 other reasons why a lot of them, lot of them like the ETZ also was moved  
10 to 6:00 because of that reason as well. P&Z moved earlier as well and  
11 simply because of that we have to facilitate, for facility purposes basically.  
12 So if we can't do seven then it'd have to stay six. Not only that but we also  
13 have to talk to my Director as well because it's up to him where he wants  
14 staff as well, AKA me, 7:00 till whatever for these meetings so. We'd  
15 definitely discuss that though if, if y'all are okay, comfortable with possibly  
16 moving it to 7:00 we could definitely discuss that and, and check and I'll,  
17 I'll get back with you all next, at the next meeting.  
18  
19 Williams: I would say we, let's talk to, to David first and ...  
20  
21 Hutson: Right.  
22  
23 Williams: Find out what his availability is and stuff like that.  
24  
25 Hutson: Right.  
26  
27 Williams: What, what, I mean is it, the, another possibility is changing the date, the  
28 day again too. You know if it, if, if it's, if Thursdays are better maybe we  
29 go back to Thursdays but you know what I mean. It, it's, the, I think we  
30 can work around that. I think, I personally would prefer to keep it at six if  
31 we could but I don't have a problem with going to seven too much but you  
32 know.  
33  
34 Hutson: I'm not sure that seven would work but ...  
35  
36 Williams: Yeah, yeah.  
37  
38 Hutson: It was just a suggestion that ...  
39  
40 Ochoa: Sure.  
41  
42 Hutson: If all things could work and I, I do understand that you know we have to  
43 work with the City as well so.  
44  
45 Williams: Yeah. So I would say, I mean if it, if he, let, let's talk to David and find out  
46 what ...

1 Hutson: Yes.  
2  
3 Williams: What's, what his availability is and if there's a, even maybe a day that's  
4 better and then we can discuss it at the next meeting too, look at you  
5 know possibility of going to a different day if needed so.  
6  
7 Ochoa: Definitely do that. Just to let you know we have also, like our University  
8 District meeting we actually have it during the day. We have it at ten a.m.  
9 in the morning cause ...  
10  
11 Williams: Yeah.  
12  
13 Ochoa: Everybody was totally fine with that, no one wanted to come at night  
14 anymore so it was, it's during the day which is impossible for some of y'all  
15 but you know there's still open options for, for everybody if, okay. If you  
16 want to talk to David or you can talk to David, Mr. Chair if you wanted to  
17 reach out to him and see as well and then just go from there.  
18  
19 Williams: Yeah.  
20  
21 Ochoa: Okay.  
22  
23 Williams: Okay. Any other, any other staff announcements or anything?  
24  
25 Ochoa: Nothing else. Just again we will have another meeting next month,  
26 October. I believe y'all got the e-mail about the demolition happening of  
27 that small home behind the St. Genevieve's. It's that project essentially.  
28 It's for the new parish for St. Genevieve's so architects are working hard to  
29 make it look a little less Italian and more Southwest also at least hopefully  
30 we'll get something good in before long.  
31  
32 Campos: *(Inaudible)*.  
33  
34 Williams: Okay. Any other discussion? Okay.  
35  
36 Campos: No sir.  
37  
38 **VI. ADJOURNMENT (6:43 p.m.)**  
39  
40 Williams: Call for, adjourn the meeting.  
41  
42  
43  
44   
45 \_\_\_\_\_  
46 Chairperson